



Instruction

Defense Intelligence Agency

DEFENSE INTELLIGENCE AGENCY
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Hours of Work and Work Schedules

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424

- References
- (a) DIAM 22-23, Chapter 5, Subchapter 1, "Hours of Duty and Schedules" and Subchapter 2 "Alternative Work Schedules (AWS), dated 10 January 2003. (canceled)
 - (b) Title 5 U.S.C., Chapter 41, Training.
 - (c) Title 5 U.S.C., Chapter 61, Hours of Work.
 - (d) Title 5 CFR, Part 610, Hours of Duty.
 - (e) DIAR 46-2, Time and Attendance Reporting.

1. Purpose

- 1.1. This instruction replaces reference (a).
- 1.2. Establishes the regulatory framework for determining employees basic work requirements and provides employees with alternatives and flexibilities in determining hours he or she is scheduled to work.
- 1.3. The instruction is applicable to all DIA civilian employees except for employees appointed into positions as Defense Intelligence Senior Executive Service (DISES), and Defense Intelligence Senior Level (DISL). Hours of duty for foreign national employees are established by the individual U.S. Embassies under Department of State Regulations.

2. Definitions

- 2.1. Basic work requirement - number of hours, excluding overtime hours, that an employee is required to work or account for by charging leave, credit hours, excused absence, holiday hours, compensatory time off, or time off as an award each week.
- 2.2. Basic work schedule - for full-time employees is comprised of 5 consecutive workdays of 8 ½ consecutive hours, accomplished Sunday through Saturday, and includes a daily 30-minute non-compensable meal period, for a total of 40 hours.

- 2.3 Definitions are explained in further detail in applicable chapters in Enclosure 1.

3. Responsibilities

- (b)(3):10 USC 424 3.1. [redacted] is responsible for the overall administration and management of the DIA civilian personnel hours of work and schedules.

- (b)(3):10 USC 424 3.2. [redacted] is responsible for establishing operating procedures to administer the DIA civilian personnel hours of work and schedules for assigned organizations.

- (b)(3):10 USC 424 3.3. [redacted] is responsible for establish operating procedures to administer the DIA civilian personnel hours of work and schedules for assigned organizations.

- 3.4. Deputy directors for or chiefs of special offices establish guidance for ensuring subordinate elements comply with established policy for scheduling hours of work and holiday observances.

- 3.5. Office chiefs (3-letter office level) determine office participation in AWS and monitoring ongoing capability of AWS with the ability of the organization to meet mission requirements.

- 3.6. Supervisors designate and communicate to their employees the office hours during which employees must be scheduled for work.

- 3.7. Employees comply with the provision of hours of work and recognize the primacy of the DIA mission.

- 3.8. Responsibilities are explained in further detail within each chapter of Enclosure 1

4. Procedures follow in Enclosure 1.

(b)(3):10 USC 424 [redacted]
Deputy Director for Administration

Enclosure - 1

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E1. Enclosure 1
Procedures
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C1.1. OVERVIEW includes the responsibilities of primary DIA elements [REDACTED]

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[REDACTED] deputy directors for and chiefs of special offices, office chiefs, and supervisors) involved in scheduling hours of work, alternative work schedules, and observance of holidays. It also offers guidance to employees for requesting and scheduling basic work requirements and hours of duty.

C1.2. RESPONSIBLE PARTIES:

C1.2.1. [REDACTED] will

- establish policy for the administration and management of the DIA civilian personnel hours of work and schedules.

C1.2.2. [REDACTED] will

- establish operating procedures to administer the DIA civilian personnel hours of work and schedules for serviced organizations.
- interpret hours of work laws and U.S. Office of Personnel Management (OPM) regulations and policies.
- inform all employees of laws and regulations affecting their hours of work and schedules.
- provide technical advice and guidance to managers and supervisors on the administration of AWS programs.
- conduct the vote, when necessary, for implementation of compressed work schedules (CWS) within a work unit.
- conduct periodic statistical review of the flexible and compressed work schedule programs and provide data to DIA leadership.

C1.2.3. [REDACTED] will

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- establish operating procedures to administer the DIA civilian personnel hours of work and schedules for serviced organizations.
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- provide technical advice and guidance to managers and supervisors on the administration of AWS programs.
- conduct the vote, when necessary, for implementation of compressed work schedules (CWS) within a work unit.

- conduct periodic statistical review of the flexible and compressed work schedule programs and provide data to DIA leadership.

C1.2.4. Deputy directors for or chiefs of special offices will

- ensure that subordinate elements comply with DIA and directorate/office policy and procedures for AWS.
- ensure directorate or special office usage of AWS does not compromise mission accomplishment.

C1.2.5. Office chiefs (3-letter office level) will

- determine office participation in AWS and submit written certification of the compatibility of AWS and the ability of the organization to meet mission requirements.

C1.2.6. Supervisors will

- designate and communicate to their employees the office hours during which employees must be scheduled for work.
- determine work unit participation and submit written certification to the office chief of the compatibility of AWS and the ability of the organization to meet mission requirements.

C1.2.7. Employees will

- comply with the provision of the AWS program and recognize the primacy of the DIA mission.
- ensure the successful completion of mission requirements while on AWS.
- cooperate with co-workers in providing adequate turnover support and appropriate backup materials and information to ensure effective mission accomplishment during the RDO and provide reciprocal support to co-workers during their absences.

CHAPTER 2 - HOURS OF DUTY

C2.1. DEFINITIONS

- Administrative work week - for all U.S. civilian employees who work regular hours of duty in DIA begins at midnight Saturday and extends to midnight the following Saturday. This includes any regularly scheduled overtime.
- Biweekly pay period - two-week period for which an employee is scheduled to perform work.
- Day - a day is counted as a calendar day, midnight to midnight.
- Office hours - those hours during which the majority of work is accomplished or customer service is required.

C2.2. SCHEDULING HOURS OF WORK

C2.2.1. What is the general rule for scheduling hours of work?

DIA employees will generally work regularly scheduled tours of duty. Uncommon tours of duty will be approved only when an organization would be seriously handicapped in carrying out its mission or when costs would be substantially increased. Overtime work will be scheduled only when absolutely essential. Whenever possible, compensatory time off (comp time) should be scheduled in place of irregular overtime.
Managers retain the final authority to schedule hours of duty.

C2.2.2. What are some considerations supervisors should adhere to when planning schedules for employees?

- Scheduling decisions will be governed by the following general principles:
 - each employee should be scheduled during the same hours of each day of the basic workweek
 - breaks in working hours of more than 1 hour will not be scheduled.
- When changes are necessary in the scheduled hours of work, as much advance notice as possible will be given to the employee. Unless prevented by unusual or unforeseen circumstances, changes to tours of duty will be scheduled at least 1 week in advance.
- Frequent changes in scheduled time and fluctuations from day to night work will be avoided. Employees should be scheduled on one shift or tour for a minimum period of 2 weeks.

- Any work schedule variations established outside this regulatory guidance must be approved in advance by [REDACTED] with [REDACTED] copies provided to appropriate timekeepers. (b)(3):10 USC 424

C2.2.3. How long are work schedules required to be kept on file?

Work schedules will be kept on file with other time and attendance records for a minimum period of 3 years.

C2.2.4. Is there a DIA basic work schedule for full-time employees?

- DIA basic work schedule is comprised of 5 consecutive workdays of 8 ½ consecutive hours with a 30 minute non-compensable meal period included.
- Basic work schedule can be accomplished Sunday through Saturday and is established by the employee's supervisor.
- Employees are not permitted to vary their arrival and departure times under the basic work schedule.
- Time and Attendance keepers will code the DIA basic work schedule in the Defense Civilian Payroll System (DCPS) as code "0".

EXAMPLE:

-Bob is scheduled to work Tuesday through Saturday from 3:30 p.m. to 12:00 a.m. Sally is scheduled to work Tuesday through Saturday from 7:00 a.m. to 3:30 p.m. Each employee is scheduled to work 40 hours each week.

C2.2.5. Is there a DIA basic work schedule for part-time employees?

- Part-time employees have officially prescribed days and hours within the administrative workweek.
- Tour of duty will be recorded on the Appointment Notification of Personnel Action (SF 50).
- Any changes to the established schedule will be submitted to [REDACTED] on a Request for Personnel Action (SF 52) with justifying remarks. (b)(3):10 USC 424

EXAMPLE:

-Dave is scheduled to work Monday through Friday from 7:30 a.m. to 11:30 a.m. for a total of 20 hours a week.

C2.2.6. Is there a DIA basic work schedule for intermittent employees?

Intermittent employees have no regular or prescribed days or hours but will be scheduled on a periodic basis within the limits set forth in their individual appointments.

C2.3. MEAL PERIODS

- The regular authorized meal period is 30 minutes, generally taken at the mid-point of a duty day. During this period the employee is entirely free of the duties of his/her position. The meal period is not considered to be duty time for which compensation is paid. The meal period *will not* be used to shorten the length of the employee's duty day.
- In certain situations where eating facilities are limited, or individual employee needs and preferences are such that additional time for meals is desired, supervisors may extend the meal period not to exceed 60 minutes. Regular duty hours will be adjusted to provide for the basic workday and workweek as established by law and this instruction.
- A meal period of 20 minutes or less may be counted as time worked when shifts are in operation and time off for meals is not possible, or when the meal period is not free of management constraint. Workers must spend this time at or near their workstations. All work schedules/tours of duty which include a compensable meal period will be submitted to for review and advance approval prior to implementation.
- Meal breaks during periods of irregular overtime work are not included as part of the daily tour-of-duty for which compensation is payable.

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C2.4. UNCOMMON TOURS OF DUTY

C2.4.1. What is an uncommon tour of duty?

- Uncommon tours of duty are appropriate only when mission needs do not permit a basic workweek of five 8 ½ hour workdays.
- Uncommon tours should be reserved for those occasions when service is required on a continuing, round-the-clock basis (shift work) or when service must be provided during extended duty hours.

C2.4.2. Under an uncommon tour of duty concept, how are hours of work scheduled and accounted for employees supporting crisis conditions, deployments, Intelligence Task Force (ITFs), and related exercises (less than 24/7 operations)?

- Due to the unpredictable nature of work requirements and variability in personnel assignments associated with international crises, deployments, ITFs, and related exercises, the first 40 hours of work

performed by employees will be used to determine their basic work schedule.

- Because work schedules are the basis for determining entitlement to premium pay and charges to leave, it is important that they be accurately prepared, certified by the employee's supervisor during the uncommon tour of duty, and provided to the appropriate element timekeeper for time and attendance posting purposes.

C2.4.3. How are employees working a first 40-hour uncommon tour of duty compensated?

- Employees are entitled to their basic rate of pay for the first 40 hours.
- Any additional hour of officially ordered or approved work is overtime work. Compensation for additional hours (hours in excess of the basic 40) will be either paid at the applicable overtime rate or compensatory time off as determined by management in accordance with governing regulations.
- Night differential pay (for work performed between the hours of 6:00 p.m. and 6:00 a.m.), Sunday pay, and holiday pay is applicable as appropriate for the first 40 hours worked.
- An employee who works a designated holiday will be compensated with holiday pay up to a maximum of 8 hours.
- An employee who does not work a designated holiday will be credited with 8 hours of excused absence. These 8 hours are considered to be included in the employee's basic 40-hour week. Therefore, hours worked in excess of 32 during the holiday week are overtime hours.

C2.4.4. How is leave charged for employees working a first 40-hour uncommon tour of duty?

- Annual leave and/or sick leave must be charged when an employee is unable to report for or requests excusal from the first 40 hours of work scheduled.
- Leave charges will equate to the number of hours the employee was scheduled to work on the day of the absence.

C2.4.5. Implementation of Agency-Wide Work Schedules/Hours of Duty for Crisis Support and Deployments (24/7 Operations)

C.2.4.5.1. Can a compressed work schedule be used for crisis support operations and deployments?

- Offices that are required to provide round-the-clock (24/7) operations in response to crisis operations and deployments may need to schedule employees to cover shifts that do not fall under normal work schedule guidelines. In order to accomplish this,

employees *must be* changed to a compressed work schedule. See compressed work schedules in this instruction for further information.

- Compressed work schedules provide the most flexibility for managers and supervisors to schedule employees to meet mission requirements while maximizing premium pay for employees.
- Managers and supervisors must:
 - ensure that each employee is scheduled for a minimum of 80 hours for each biweekly pay period
 - ensure that schedules include a 30-minute non-compensable meal period.

Example:

-Mary works on a task force that requires 24/7 support and mandatory overtime is necessary. Mary is scheduled for 11 ½ hour shifts for 4 consecutive days, followed by 4 consecutive days off. Mary is scheduled to work Sunday through Wednesday for the first week of the pay period and Monday through Thursday the second week of the pay period. Mary would be entitled to 80 hours of regular pay, 8 hours of overtime, and 11 hours of Sunday premium pay. Mary worked her schedule between 6:00 a.m. and 6:00 p.m. and therefore is not entitled to night pay. The ½ hour daily meal periods are not compensable.

C2.4.5.2. How are employee time and attendance reports annotated for crisis support under a compressed work schedule?

- The first 80 hours scheduled will be considered regular (RG or SG) hours for timekeeping purposes.
- Hours worked in excess will be considered scheduled overtime (OS) for timekeeping purposes.
- With supervisory approval, compensatory time may be earned for hours worked that were not scheduled in advance of the work week.
- Employees are entitled to Sunday premium pay when they work regular hours on Sunday and when regular hours worked on Saturday cross midnight. For example, an employee comes in to work regular hours on Saturday at 6:00 p.m. until 6:00 a.m. Sunday, the employee would be entitled to Sunday premium pay for the entire shift.
- Employees are entitled to night differential when regular hours or scheduled overtime hours are worked between 6:00 p.m. and 6:00 a.m.
- Timekeepers should use DCPS alternative work schedule code “6” to annotate this work schedule.

C2.5. EDUCATION

C2.5.1. Variations in Work Schedules for Educational Purposes

- A special tour of duty of not less than 40 hours in a week may be authorized for an employee to take one or more courses in a college, university, or other educational institution when it is determined by DIA management that:
 - the courses taken are not considered training under chapter 41 of title 5 U.S.C. Training for this purpose means the process of providing for and making available to an employee, and placing or enrolling the employee in a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which will improve individual and organizational performance and assist in achieving the agency's mission and performance goals.
 - the rearrangement of the employee's tour of duty will not appreciably interfere with the accomplishment of the work required to be performed.
 - additional cost for personnel services will not be incurred, and
 - completion of the courses will equip the employee for more effective work in DIA.
- Special tours of duty will be established for education purposes by the supervisor and approved at the 3-letter Office level.
- Special tours of duty for educational purposes will
 - comply with the provisions of this instruction concerning hours of duty and scheduling, and
 - be coordinated with prior to implementation.
- Employees may not be paid any premium pay solely because the special tour of duty authorized causes the employee to work on a day, or at a time during the day, when premium pay would otherwise be payable.

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C2.6. STANDBY DUTY

- An employee performs standby duty if the employee is officially ordered to remain at or within the confines of his/her duty station for a tour of duty less than 24 hours.

- For tours of duty that are 24 hours or longer and include daily time for eating and sleeping, compensation for more than 16 hours per day will only be authorized for actual time worked, or actual standby ordered in excess of those 16 hours.
- To be eligible for overtime pay or comp time for the performance of standby duty, an employee must be in a position that requires him/her to regularly remain at or within the confines of his/her duty station during longer than ordinary periods of duty, a substantial part of which consists of remaining in a standby status. At or within the confines of his/her duty station means

-at an employee's regular duty station

-in quarters provided by DIA or the government, which are not the employee's ordinary living quarters, and which are specifically provided for use of personnel required to stand by in readiness to perform actual work when the need arises or when called, or

-in an employee's living quarters, when designated by DIA management in coordination with [REDACTED] as his/her duty station, when whereabouts are narrowly limited, and activities are substantially restricted. This condition exists only during periods when an employee is required to remain at his/her quarters and is required to be in a state of readiness to answer calls for services. This limitation on an employee's whereabouts and activities is different from that placed on an employee who is subject to call outside the tour of duty, but may leave his/her quarters provided arrangements are made for someone else to respond to calls, or a telephone number is provided to contact the employee.

- For employees who are subject to the Fair Labor Standards Act, time spent on standby duty is considered hours of work if
 - the employee is restricted to agency premises, or so close thereto that the employee cannot use the time effectively for his/her own purposes, or
 - the employee, although not restricted to the agency's premises, is restricted to his/her living quarters or designated post of duty; has his/her activities substantially limited; and is required to remain in a state of readiness to perform work.
- Time spent on standby duty by an employee subject to the Fair Labor Standards Act is not considered hours of work if
 - the employee is allowed to leave a telephone number or to carry an electronic device (beeper) for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius, or
 - the employee is allowed to make arrangements such that another person will perform any work that may arise during the standby period.

C2.7. ON CALL

- On call is distinguished from standby duty in that limitations on an employee's whereabouts or activities are relaxed. An employee who is on call outside the tour of duty may leave their residence provided they can be reached by telephone or other means (e.g., beeper).
- On call duty is not a part of the regular administrative workweek and an employee is not entitled to receive overtime pay or comp time off for being on call unless actual work is performed or the employee is required to return to the place of employment.
- Providing mission support around-the-clock may require DIA employees to be available on a regular basis, outside their normal duty hours. DIA elements requiring employees to be on-call outside their normal scheduled work hours, either on a regular basis or in response to a crisis, will
 - establish an equitable, published procedure for designating personnel to be on-call, and
 - notify designated on-call personnel as much in advance as possible.
 Those elements with routine on-call requirements should project assignments at least 30 days in advance.
- Employees officially designated to be on call will receive compensation *only* for duty actually performed. Compensation, either compensatory time off or paid overtime, will be provided for employees called back to the work place, and for telephonic consultations.
- In the case of supervisor-initiated callback overtime, employees will be credited with actual time worked, but not less than two hours for compensation purposes.
- With respect to telephonic consultations with employees, calls initiated by a DIA supervisor who is in a duty status shall be considered duty for compensation purposes. For compensation purposes, telephonic consultation starts when the call is received and ends when the call terminates. Employees will be entitled to overtime compensation in quarter-hour increments; odd minutes will be rounded up or down to the nearest quarter of an hour.
- The individual initiating a call back or telephonic consultation, and the on-call employee responding, will each provide a record of the time of the call, reason, action taken, and actual time required to accomplish the task to their timekeeper. Compensation for on-call responses will be treated as irregular overtime.

C2.8. DAYLIGHT SAVINGS TIME

- *Adopting daylight savings time.* Employees working shifts are considered on duty for the normal number of hours of that shift. Pay will be allowed *only* for the number of hours worked. The hour lost, however, may be charged to leave.
- *Return to standard time.* When a change to standard time goes into effect, employees working shifts will be credited and pay will be allowed for the actual number of hours worked.

CHAPTER 3 - ALTERNATIVE WORK SCHEDULES (AWS)

C3.1. DEFINITIONS

- Alternative work schedule (AWS) - includes both flexible work schedules and compressed work schedules.
- Compressed work schedule (CWS) - work schedule that has an 80-hour biweekly basic work requirement that is scheduled for less than 10 workdays.
- Credit hours - hours within a flexible work schedule that an employee requests to work in excess of the basic work requirement to vary the length of a subsequent workday or workweek.
- Flexible hours - time bands when employees' arrival and departure times may be varied and credit hours may be earned.
- Flexible work schedule (FWS) - work schedule that has an 80-hour biweekly and 40-hour weekly basic work requirement that allows an employee to vary the work schedule within limits set by the organization. There are two schedules:
 - a basic work requirement of five 8 ½-hour workdays for each week of the biweekly pay period. Employees may be permitted to change daily starting and stopping times within the established flexible hours, and earn credit hours
 - a basic work requirement of 40 hours each week of the biweekly pay period and primary business hours for each workday. With prior supervisory approval, employees may be permitted to vary the number of hours worked on a given workday during the week and earn credit hours.
- Primary business hours - hours during which all members of a work unit must be present for duty.
- Regular day off (RDO) - one or more workdays within the biweekly pay period for which no duty hours are scheduled or required to be accounted for by charging leave.

What is an alternative work schedule (AWS)?

An AWS allows employees flexibility in their basic work schedule. There are two types of AWS, flexible and compressed.

What are the general rules regarding AWS?

- AWS must support the DIA mission and will be administered to ensure that it does not have an adverse impact on DIA productivity, the quality of DIA products or services, or operating costs.
- Participation is subject to the discretion of the appropriate management official who must ensure that employee participation does not interfere with the effective accomplishment of the DIA mission.

Who can approve or disapprove AWS?

- DIA management officials may approve or disapprove the use of AWS on a permanent or temporary basis, as determined by the mission requirements.
- Supervisors must obtain prior approval from their Office Chief (3 letter office level) before implementing any AWS.
- Supervisors and DIA Management officials may terminate individual employee participation in AWS programs during suspected cases of leave abuse, or suspend the use of AWS during crisis operations.
- Supervisors and DIA management officials may also suspend the use of AWS programs at any time during the leave year to better manage peak demand for leave to ensure the equal opportunity for all employees to schedule annual leave.
- Supervisors and DIA management officials may direct employees to work during a regular day off (RDO), or in excess of the number of hours planned for a given workday.

Does the Director have a role in AWS?

Yes, if the Director, DIA, determines that any AWS schedule has an adverse impact, the Director may discontinue all or part of the AWS program. An adverse impact is defined as:

- a reduction of productivity
- a diminished level of service furnished to customers
- an increase in the operating costs of DIA.

Special Procedures for Time and Attendance Accounting

- Organizations wishing to participate in AWS must establish a time and accounting method that provides the supervisor with affirmative or personal knowledge of each employee's entitlement to pay by showing the number of hours of duty, attendance, and nature and length of absence.
- Supervisors who cannot approve time and attendance from personal knowledge of the entitlement to pay for employees on AWS must use alternative time accounting methods. For more information see DIAR 46-2, "Time and Attendance Reporting".
- Timekeepers should refer to the DCPS manual and reference guide for specific instructions on documenting work hours for those employees on AWS.

C3.2. FLEXIBLE WORK SCHEDULES (FWS)

Who can participate in a flexible work schedule?

Employees, including managers and supervisors, are permitted to participate in FWS.

What constitutes a flexible work schedule?

- Flexible work schedules require employees to complete 40 hours of work each week.
- A regular schedule for each employee in a work unit must be established and approved in advance by the employee's supervisor.
- With prior supervisory approval, employees may be permitted to vary the number of hours worked on a given day, as long as the hours worked are within established office hours and the employee is present during primary business hours.

EXAMPLE:

-Amy is regularly scheduled to work Monday – Friday from 8:00 a.m. – 4:30 p.m. With prior supervisory approval, she works 8:00 a.m. – 3:00 p.m. on Tuesday to attend a parent/teacher conference at her child's school. Amy will work an extra 1 ½ hours during the remainder of the workweek to make up missed time to complete her 40-hour work requirement.

Primary Business Hours

- Under a FWS, employees must be present during primary business hours.
- Primary business hours are those hours during which all members of a work unit must be present for duty.
- When an employee is not present for primary business hours, appropriate leave, compensatory time, or credit hours must be taken.
- Primary business hours will be established by the employee's supervisor and approved at the 3-letter Office level.

What are the recognized flexible schedules used by DIA and how are they recorded on the time and attendance record?

- DIA recognizes one basic flexible work schedule:
 - when an employee works 8 1/2 hours per day, the time keeper will code the time and attendance report using code "2"
 - when an employee varies the length of the workday, the time keeper will code the time and attendance report using code "3"
- Flexitour, maxiflex and variable week schedules *may not be used*.

C3.2.1. CREDIT HOURS

What are credit hours?

Credit hours are hours within a FWS that an employee requests to work in excess of the basic work requirement to vary the length of a subsequent workday or workweek. Credit hours can be earned only during flexible hours.

How are credit hours earned?

- Credit hours are worked at the request of the employee and are distinct from overtime hours in that they are not ordered in advance by management. There must be legitimate work accomplished during credit hours worked.
- An employee's request to earn and to use credit hours is subject to prior management approval.
- Credit hours may be earned only during flexible time bands.
- Employees must earn credit hours before they are used.
- The maximum number of credit hours that may be carried forward from one pay period to the next is limited to 24 hours. There is no limit on how long credit hours may be carried forward.
- Wage grade employee(s) may be permitted to earn credit hours.

How are credit hours used?

- Credit hours may be used in lieu of annual leave or sick leave during primary business hours and flexible hours.
- Credit hours may not be used to create or increase entitlement to overtime/premium pay or compensatory time. Employees may not be paid overtime, Sunday premium pay, or holiday premium pay for credit hours.
- When an employee is no longer participating in FWS, credit hours accumulated will be paid to the employee at the employee's current rate of basic pay, limited to a maximum of 24 hours.

What would be an example of FWS in an office?

Example:

Customer Services Branch

Office hours:	6:00 a.m. – 6:00 p.m. Monday – Friday
Primary business hours:	9:00 a.m. – 2:00 p.m.
Flexible hours:	6:00 a.m. – 9:00 a.m.
When credit hours may be earned:	2:00 p.m. – 6:00 p.m.
Typical employee schedule:	7:30 a.m. – 4:00 p.m.

Temporary Duty/Training/Rotational Assignments/Details

- The work schedule of an individual on the FWS must be changed to the basic work schedule for each biweekly pay period during the period of temporary duty, rotational assignment, or detail, unless otherwise permitted by the host organization.
- During periods of training, employee on flexible work schedule will revert to the basic work schedule.
- Upon completion of the temporary assignment or activity, the employee may request reinstatement to the FWS.

C3.2.2. OVERTIME

- Employees required to work hours in excess of the appropriate basic work requirement are entitled to overtime in accordance with existing DIA policy and procedures.
- Supervisors and DIA management may direct an employee on an FWS to work hours in excess of what the employee planned to work on a given workday. If the hours ordered to work are in excess of 8 hours a day, or 40 hours in a week at the time they are performed, the employee may be permitted to
 - complete his or her basic work requirement as scheduled and be entitled to overtime pay, or compensatory time off, as appropriate, or
 - take time off from work on a subsequent workday within the pay period equal to the number of extra hours ordered using compensatory time earned.

Compensatory Time

Compensatory time off may be granted in lieu of overtime pay for irregular or occasional overtime work in accordance with existing DIA policy and procedures. Wage grade employees permitted to work an FWS may request compensatory time in lieu of overtime.

C3.2.3 HOLIDAY PAY

- *No Work Performed.* When the holiday falls on a scheduled workday, the workday is the employee's holiday and will be comprised of 8 hours.
- *Work Performed.* When an employee is required to perform non-overtime work on a holiday, the employee is entitled to a maximum of 8 hours holiday premium pay. Hours worked on a holiday in excess of 8 hours will be compensated under the appropriate premium pay policy. Employees required to work during a holiday are not entitled to an "in lieu of" holiday.

C3.2.4. NIGHT PAY PROHIBITION

- Night pay is not paid to General Grade (GG) employees solely because the employee elects to work credit hours or elects to vary their arrival or departure, at a time when night pay is authorized (6:00 p.m. – 6:00 a.m.).
- When the supervisor directs the employee to work at night, night pay must be paid to the employee for all hours worked between 6:00 p.m. and 6:00 a.m.
- If the supervisors permits employees to regularly schedule their tours of duty so that the tours overlap into hours for which night pay differential would be paid (between 6:00 p.m. and 6:00 a.m.), employees will be entitled to be paid for all periods of time that fall within the night differential pay hours.
- Wage grade employees who are permitted to work a FWS will receive night pay only when the majority of their regular work schedule occurs at night.

C3.2.5. SUNDAY PAY

- Employees who are regularly scheduled by their supervisor or DIA management to work on Sunday are entitled to Sunday premium pay up to 8 hours.
- Sunday pay may not be paid for overtime hours.

C3.2.6. LEAVE

Employees may charge time off during flexible hours and primary business hours to sick leave, annual leave or compensatory time, as appropriate, or use credit hours in order to preserve leave. Employees are not required to use credit hours for time off during flexible hours.

C3.3. COMPRESSED WORK SCHEDULES

What constitutes a compressed work schedule (CWS)?

- Compressed work schedules (CWS) are arranged to enable employees to fulfill their 80-hour biweekly work requirement in less than 10 workdays.
- CWS are always fixed schedules, the employee may not vary his or her arrival and departure times.
- Credit hours are not permitted under a CWS.

What are the types of CWS recognized by DIA?

- DIA recognizes two basic compressed work schedules:
 - 5-4/9 work schedule that includes eight 9½-hour workdays, one 8½-hour workday, (all with a 30-minute non-compensable meal period), and one scheduled RDO each biweekly pay period. This is the preferred CWS for use within DIA.

EXAMPLE:

-John works 7:00 – 4:30 each day during the 1st week of the pay period. Week 2 of the pay period he works 7:00 – 4:30 Monday through Wednesday; is off on Thursday (scheduled RDO), and works 7:00 – 3:30 on Friday.

-4-10 work schedule that includes four 10½-hour workdays, (with a 30-minute non-compensable meal period) per week with one regularly scheduled RDO each week of the biweekly pay period.

EXAMPLE:

-Jane works 7:00 – 5:30 Sunday – Wednesday of each week and is off on Thursday (scheduled RDO).

Who can approve or disapprove a CWS?

- Management retains the right to approve or disapprove the use of compressed work schedules based on the mission requirements of DIA.
- CWS must be authorized by the supervisor and approved at the Office Chief (3 letter office) level.
- A CWS can only be implemented if a majority of the employees in the work unit vote for it.
- All requests for compressed work schedules must be coordinated with prior to implementation.

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Who can participate in a CWS?

- Employees, including managers and supervisors, are permitted to participate in CWS.

What requires a majority vote to participate in CWS?

- When participation in CWS is voluntary for each employee, a majority vote is not required.
- When CWS is the only AWS permitted for a work unit, a majority vote is required prior to implementation.

How is the vote administered?

- First line supervisors will develop a schedule for CWS within the work unit. Supervisors must establish duty hours and regular days off for employees.
- The supervisor will submit a written request for approval of CWS to The supervisor must specify the type of CWS and provide a list of names of all employees in the work unit.

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(b)(3):10 USC
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- [redacted] will conduct a vote of all employees in the work unit by forwarding a memorandum with ballot attached to all employees in the work unit. Employees will indicate their concurrence/non-concurrence of the implementation of CWS for the work unit by completing the ballot and returning it directly to

(b)(3):10 USC
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- Once a majority vote is recorded, [redacted] will prepare an approval memorandum and forward it to the work unit.

(b)(3):10 USC
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- If participation in the CWS will incur a personal hardship, an employee may request exclusion from the CWS.

How are regular RDOs scheduled?

- The supervisor will ensure that scheduled RDOs are scheduled in a manner that does not compromise mission accomplishment.
- The RDO will remain the same each pay period until officially changed. Compressed work schedules are fixed work schedules and employees are not permitted to switch the RDO during the pay period.

C3.3.1. HOLIDAYS

- When the holiday falls on a scheduled workday, the workday is the holiday and will include the number of hours of the compressed work schedule for that day.
- Employees required to work during a holiday are not entitled to an “in lieu of” holiday.

How are “in lieu of” holidays determined?

- When the holiday falls on a non-workday or RDO, the employee is entitled to an “in lieu of” holiday as follows:
 - when the holiday falls on a Sunday, the first regularly scheduled workday after the holiday is the employee’s “in lieu” of holiday; and
 - when the holiday is not on Sunday, the last regularly scheduled workday before the holiday is the employee’s “in lieu of” holiday.

C3.3.2. TEMPORARY DUTY/TRAINING/ROTATIONAL ASSIGNMENTS/DETAILS

- The work schedule of an individual on the CWS will revert to the basic workweek for each biweekly pay period during the period of temporary duty, rotational assignment, or detail, unless otherwise permitted by the host organization.
- During periods of training, employee work schedules will revert to a basic workweek.
- Upon completion of the temporary assignment or activity, the employee may request reinstatement to the CWS.

C3.3.3. OVERTIME

Overtime is made up of all hours of work ordered or approved in excess of the employee's established work schedule.

Compensatory Time

Compensatory time off may be granted in lieu of overtime pay for irregular or occasional overtime work in accordance with existing DIA policy and procedures.

C3.3.4. HOLIDAY PAY

Holiday pay is limited to the number of hours an employee is normally scheduled to work on the holiday. For example, if the employee would normally have been scheduled to work 9 hours that day, the employee may be paid holiday pay up to 9 hours actually worked.

C3.3.5. NIGHT DIFFERENTIAL PAY

- If the supervisors permits employees to regularly schedule their tours of duty so that the tours overlap into hours for which night pay differential would be paid (between 6:00 p.m. and 6:00 a.m.), employees will be entitled to be paid for all periods of time that fall within the night differential pay hours.
- Wage grade employees who are permitted to work a CWS will receive night pay only when the majority of their regular work schedule occurs at night.

C3.3.6. SUNDAY PAY

- Employees who are regularly scheduled by their supervisor or DIA management to work on Sunday are entitled to Sunday premium pay for the entire scheduled period of duty for that day.
- Sunday pay may not be paid for overtime hours.

C3.3.7. CREDIT HOURS

Credit hours are not permitted under the CWS program.

C3.3.8. LEAVE

Employees may charge time off during CWS to sick leave, annual leave, or compensatory time, as appropriate.

CHAPTER 4 - HOLIDAY OBSERVANCES

C4.1. LEGAL HOLIDAYS

- The following days are legal holidays:
 - 1st of January (New Year's Day)
 - 3rd Monday in January (Martin Luther King, Jr. Birthday)
 - 3rd Monday in February (Washington's Birthday, referred to as "Presidents Day")
 - Last Monday in May (Memorial Day)
 - 4th of July (Independence Day)
 - 1st Monday in September (Labor Day)
 - 2nd Monday in October (Columbus Day)
 - 11th of November (Veterans Day)
 - 4th Thursday in November (Thanksgiving)
 - 25th of December (Christmas)
 - Inauguration Day. January 20th in every fourth year (2005, 2009, etc) is an administrative day off only in the Washington Metropolitan Area. If January 20th falls on a Sunday, the holiday will be the day the inauguration actually takes place
- Other calendar days as may be designated Federal holidays by statute or Executive Order.

C4.2. GENERAL RULE FOR HOLIDAY OBSERVANCES

When a holiday falls on a non-workday, the day to be treated as the holiday is the workday immediately before the non-workday, unless the non-workday is Sunday. If the non-workday is Sunday, then the subsequent workday is the holiday.

C4.3. HOLIDAY DUTY

- Legal holidays will be observed. Work on these days will not be required unless justified by unusual circumstances or the maintenance of essential activities and services.
- When work is required on a legal holiday, approval will be obtained from the office chief (3 letter office level).
- Employees occupying emergency positions are expected to report for duty.

- When an employee is required to perform non-overtime work on a holiday, the employee is entitled to receive holiday premium pay for a period that is not in excess of 8 hours for that day. Any work in excess of 8 hours will be compensated under the appropriate overtime/premium pay policy.
- Employees who are required to work during a holiday are not entitled to an “in lieu of” holiday.

C4.4. “IN LIEU OF” HOLIDAYS

The following provisions are applicable to regular full-time tours of duty. These provisions do not apply to intermittent or part-time employees.

- When a holiday falls on a workday, the workday will be observed as the holiday.
- When a holiday falls on a Sunday, Monday will be observed as the holiday. If overtime is required on Sunday, payment for overtime hours will be made at overtime rates.
- When a holiday falls on Saturday, Friday will be observed as the holiday. If overtime work is required on Saturday, payment for overtime hours will be made at overtime rates.

C4.5. UNCOMMON TOURS OF DUTY

- Employees who work uncommon tours of duty are entitled to “in lieu of” holidays. An “in lieu of” holiday is the calendar day the holiday is observed when the employee’s schedule does not permit observance on the official holiday. See the table below for determining holidays for uncommon tours of duty.

TABLE FOR DETERMINING HOLIDAYS
UNCOMMON TOURS OF DUTY

HOLIDAY	DAYS OFF	OBSERVED ON
Sunday	Saturday and Sunday	Monday
	Sunday and Monday	Tuesday
	Monday and Tuesday	Sunday
	Tuesday and Wednesday	Sunday
	Wednesday and Thursday	Sunday
	Thursday and Friday	Sunday
	Friday and Saturday	Sunday

TABLE FOR DETERMINING HOLIDAYS
UNCOMMON TOURS OF DUTY Cont'd

HOLIDAY	DAYS OFF	OBSERVED ON
Monday	Saturday and Sunday	Monday
	Sunday and Monday	Saturday
	Monday and Tuesday	Sunday
	Tuesday and Wednesday	Monday
	Wednesday and Thursday	Monday
	Thursday and Friday	Monday
	Friday and Saturday	Monday
Tuesday	Saturday and Sunday	Tuesday
	Sunday and Monday	Tuesday
	Monday and Tuesday	Sunday
	Tuesday and Wednesday	Monday
	Wednesday and Thursday	Tuesday
	Thursday and Friday	Tuesday
	Friday and Saturday	Tuesday
Wednesday	Saturday and Sunday	Wednesday
	Sunday and Monday	Wednesday
	Monday and Tuesday	Wednesday
	Tuesday and Wednesday	Monday
	Wednesday and Thursday	Tuesday
	Thursday and Friday	Wednesday
	Friday and Saturday	Wednesday
Thursday	Saturday and Sunday	Thursday
	Sunday and Monday	Thursday
	Monday and Tuesday	Thursday
	Tuesday and Wednesday	Thursday
	Wednesday and Thursday	Tuesday
	Thursday and Friday	Wednesday
	Friday and Saturday	Thursday
Friday	Saturday and Sunday	Friday
	Sunday and Monday	Friday
	Monday and Tuesday	Friday
	Tuesday and Wednesday	Friday
	Wednesday and Thursday	Friday
	Thursday and Friday	Wednesday
	Friday and Saturday	Thursday

TABLE FOR DETERMINING HOLIDAYS
UNCOMMON TOURS OF DUTY Cont'd

HOLIDAY	DAYS OFF	OBSERVED ON
Saturday	Saturday and Sunday	Friday
	Sunday and Monday	Saturday
	Monday and Tuesday	Saturday
	Tuesday and Wednesday	Saturday
	Wednesday and Thursday	Saturday
	Thursday and Friday	Saturday
	Friday and Saturday	Thursday

- When the first 40 hours of work performed by employees on an uncommon tour of duty will be used to determine their basic work schedule, holidays will be observed as follows
 - if a holiday occurs on Sunday, the following Monday is designated as the employee's holiday and the employee's basic 40-hour tour will show 8 hours on that day
 - if a holiday occurs on Saturday, the proceeding Friday is designated as the employee's holiday and the employee's basic 40-hour tour will show 8 hours on that day
 - if a holiday occurs on any other day of the week, that day will be the employee's holiday and the employee's basic 40-hour tour will show 8 hours on that day
 - when a holiday is less than a full day, proportional credit will be given.

C4.6. OTHER FULL-TIME SCHEDULES

It is DIA's policy to designate the first nonscheduled workday in the workweek as Sunday. All other nonscheduled workdays replace Saturday. The general rules for crediting a holiday then apply.

- when a holiday falls on a workday, the workday will be observed as the holiday. If the holiday falls on a non-workday other than Sunday, the last scheduled workday before the holiday is the day observed as the holiday
- if the non-workday is Sunday, the next scheduled workday is the holiday.

C4.7. TWO TOUR DAYS

If a full-time employee has 2 daily tours of duty that begin on a holiday, the supervisor will determine which tour will be regarded as the holiday tour. The employee will be required to perform services or be in a leave status for the other tour.

C4.8. PART-TIME EMPLOYEES

Part-time employees, who have a regular prescribed tour of duty and are scheduled to work on the day designated as a legal holiday, are entitled to the same pay for the holiday as for a day on which an ordinary day's work is performed.

C4.9. INTERMITTENT EMPLOYEES, EXPERTS OR CONSULTANTS

Employees on these types of appointment are not eligible for holidays.

C4.10. OVERSEAS EMPLOYEES

- U.S. civilian employees overseas may be excused from work on a local holiday when Federal work may not properly be performed (i.e., the building or office in which the employees work is closed, local transportation services are discontinued, etc.) or when the Defense Attaché, in consultation with the chief of mission, has determined that U.S. employees may be excused from work out of respect for local custom and tradition.
- These absences will be granted without loss of basic pay and without charge to leave. However, if the employee is in a period of leave, leave for the local holiday is charged.
- Work during normal working hours on such days does not constitute a basis for additional compensation.